

**From:** [Nagasawa, Q'Deene](#)  
**To:** [Anderson, Russ](#)  
**Subject:** FW: Grand Jury Subpoena 2016R01090-051  
**Date:** Wednesday, January 09, 2019 2:10:27 PM  
**Attachments:** [2016R01090-051\\_Sound Transit.pdf](#)

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Please open a file for this.

Received by Sound Transit Legal Department  
January 9, 2019

Thank you.

PD19-013ORSUB

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**From:** Fingles, Jenny (USAWAW) [mailto:Jenny.Fingles@usdoj.gov]  
**Sent:** Wednesday, January 09, 2019 2:00 PM  
**To:** Nagasawa, Q'Deene <qdeene.nagasawa@soundtransit.org>  
**Cc:** Michaels, Joshua A. (SE) (FBI) (Joshua.Michaels@ic.fbi.gov) <Joshua.Michaels@ic.fbi.gov>  
**Subject:** Grand Jury Subpoena 2016R01090-051

Good Afternoon,

Please see the attached grand jury subpoena 2016R01090-051.

We request that you do not disclose the existence of this subpoena as it may make it more difficult to conduct the investigation.

If you have questions please reach out to SA Michaels, cc'd above, or AUSA Greenberg.

Thank you,

**Jenny Fingles**  
*Criminal Legal Assistant*  
*U.S. Attorney's Office*  
*700 Stewart Street, Suite 5220*  
*Seattle, WA 98101*  
*Phone: 206-553-2270*  
*Email: [Jenny.Fingles@usdoj.gov](mailto:Jenny.Fingles@usdoj.gov)*



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CONFIDENTIAL COMMUNICATION: E-mails from the United States Attorney's Office normally contain confidential and privileged material, and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited, and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attached items. Please delete the e-mail and all attachments, including any copies thereof, and inform the sender that you have deleted the e-mail, all attachments and any copies thereof. Thank you.



## U.S. Department of Justice

United States Attorney  
Western District of Washington

Please reply to:

Todd Greenberg  
Assistant United States Attorney

Seattle Office:	Tacoma Office:
700 Stewart Street, Suite 5220	1201 Pacific Avenue, Suite 700
Seattle, WA 98101-1271	Tacoma, WA 98402-4305
Tel: (206) 553-7970	Tel: (253) 428-3800
Fax: (206) 553-0882	Fax: (253) 428-3826
www.usdoj.gov/usao/waw	

**IMPORTANT NOTICE**  
**REQUEST FOR NONDISCLOSURE OF SUBPOENA**Q'Deene Nagasawa, Paralegal | Public Records  
Sound Transit, Legal Department  
401 South Jackson  
Seattle, WA 98104  
via Email: qdeene.nagasawa@soundtransit.org**Re: Grand Jury Subpoena Records; Reference No. 2016R01090 - 051**

Dear Custodian of Records:

Pursuant to an official Grand Jury investigation of suspected violations of the Federal criminal laws, a subpoena has been issued to you to provide, on January 23, 2019 at 1:15 p.m., the information requested in the attached subpoena. The documents are to be personally delivered to the Grand Jury, or, in the alternative, if it would be of greater convenience to you, the documents may be mailed or delivered to:

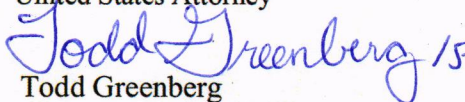
Foreperson of the Grand Jury  
c/o Todd Greenberg  
700 Stewart Street, Suite 5220,  
Seattle, WA 98101  
(206) 553-7970  
Todd.Greenberg4@usdoj.gov

prior to this date, so that they may be provided to the Grand Jury on the stated date with no need for your appearance before the Grand Jury. ***If you do not wish to appear before the Grand Jury, the documents must be accompanied by the Certification Under Rule 902(11) enclosed with this letter, properly executed and signed by the custodian of records and/or other authorized person.*** Personal appearance before the Grand Jury is excused only by delivery of the subpoenaed documents *and* delivery of the executed and signed Certification, RULE 902(11).

Materials subpoenaed during a grand jury investigation remain the property of the entity producing them. If you, the producing party, require the materials to be returned at the conclusion of the case, please confirm your request for return in writing at the time of production and provide the necessary information to do so. Please be advised, that any materials not requested to be returned will be destroyed in accordance with Federal guidelines.

We request that you do not disclose the existence of this subpoena. Disclosure may make it more difficult to conduct the investigation.

Yours truly,

ANNETTE L. HAYES  
United States Attorney  
Todd Greenberg  
Assistant United States Attorney



## UNITED STATES DISTRICT COURT

for the

Western District of Washington

## SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Q'Deene Nagasawa, Paralegal | Public Records Officer  
Sound Transit, Legal Department  
401 South Jackson  
Seattle, WA 98104  
via Email: qdeene.nagasawa@soundtransit.org

**YOU ARE COMMANDED** to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.


Place: United States Courthouse  
700 Stewart Street  
Third Floor, Room 3210  
Seattle, WA 98101

Date and Time: January 23, 2019

**YOU MUST** also bring with you the following documents, electronically stored information, or objects (blank if not applicable):  
Please see the attachment.

If you have questions please contact FBI SA Josh Michaels at 206-276-5531.

Date: January 9, 2019

  
CLERK OF COURT  
*William M. McCool*

William M. McCool  
Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States Attorney, or Assistant United States Attorney, who requests this subpoena, are:

Todd Greenberg  
700 Stewart Street, Suite 5220, Seattle, WA 98101  
(206) 553-7970  
Todd.Greenberg4@usdoj.gov

**PROOF OF SERVICE**

This subpoena for *(name of individual or organization)* Sound Transit  
was received by me on *(date)* January 9, 2019 .

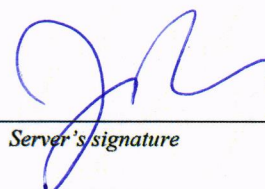
☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* January 9, 2019 ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: January 9, 2019



\_\_\_\_\_  
*Server's signature*

Jenny Fingles

\_\_\_\_\_  
*Printed name and title*

700 Stewart Street, Suite 5220,  
Seattle, WA 98101

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



## **GRAND JURY SUBPOENA ATTACHMENT**

Please provide subscriber/Account information for ORCA Cardholder identified in tap sequence below, including but not limited to the following information:

- Name (including subscriber names, user names, and screen names)
- Address (including mailing addresses, residential addresses, business addresses, and email addresses)
- Length of service (including start date) and types of service(s) utilized
- Telephone or instrument number or other subscriber number or identity, including any temporary assigned network address (for example: registration and log in Internet Protocol ("IP") addresses, MAC addresses, Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifiers ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Number ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), or International Mobile Equipment Identities ("IMEI"))
- Means and source of payment(s) of such service (including any credit card or bank account number) and billing records

The ORCA Card tap sequence occurred on route 255, coach #6975 on 12/3/2018:

15:10:19 [unassociated male's ORCA scan]

15:10:25 (Requested ORCA Card Information) [male, approx. 60-70 years old]

15:10:29 [possible failed ORCA scan of unassociated female]

15:10:44 [unassociated female was called back by driver and rescanned her card]

15:10:54 [unassociated male pays with cash]

**CERTIFICATION UNDER RULE 902(11)  
FEDERAL RULES OF EVIDENCE**

I \_\_\_\_\_, declare that I am employed by \_\_\_\_\_, which has designated me as the duly authorized Custodian of Records for the accompanying documents.

I hereby certify that the accompanying documents are authentic business records of the foregoing company/entity, specifically the records identified as:

*(Description of Business Record(s))*

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and that these documents:

- a. were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
- b. were kept in the course of the regularly conducted activity of the foregoing company/entity; and
- c. were made in regularly conducted activity as a regular practice of the foregoing company/entity, or they were records received from others and kept in the regular course of business, were relied upon by the foregoing company/entity, and were records of which the foregoing company/entity had a substantial interest in their accuracy.

I declare under penalty of perjury that the foregoing is true and correct. Executed

this \_\_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_\_

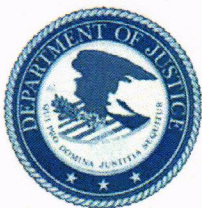
*City and State*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Telephone Number*





## **ELECTRONIC PRODUCTION SPECIFICATIONS**

### **United States Attorney's Office**

### **Western District of Washington**

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#### **A. Electronic Records**

To the extent records sought by this subpoena are stored electronically; you are directed to produce the records electronically. Please submit the records on a compact disc, USB flash drive, or other storage device.

To the extent any record sought by this subpoena exists in duplicative electronic and paper formats, you are directed to produce the record in electronic format.

If you produce the documents in an encrypted or other protected format, please include the password with the production.

#### **B. Paper Records**

To the extent records sought by this subpoena are stored **only** in paper format, we request that the records be scanned and produced in electronic format. Please produce such records in either image format (*i.e.*, with a .tif or .jpg file extension) or Adobe PDF format (*i.e.*, with a .pdf file extension).

#### **C. Questions**

If you have any questions about the scope of documents to be produced, or other non-technical questions about the subpoena, please contact the individual listed on the attachment to the subpoena.

If you have any technical questions about how to comply with this subpoena, please contact the Assistant United States Attorney listed on the subpoena at 206-553-7970.